

In rejecting these claims, the Examiner contended that Smeenge et al. disclose a mounting plate (50) secured to the bottom plate of an adjustable keyboard tray in a recessed mounting area. The Examiner further contended that “the mounting plate is secured to a bottom surface (which is shown to be the portion or flanges for which the plate is placed).” Finally, in responding to the Applicant’s prior arguments, the Examiner stated that “the features upon which the applicant relies (i.e., a bottom surface (the exterior) of the bottom plate in a recessed mounting area of the bottom plate) are not recited in the rejected claim(s).”

Independent claims 2 and 13 recite a mounting plate that “is secured to a bottom surface of the bottom plate … in a recessed mounting area of the bottom plate.” As noted above, the Examiner contended that this recitation is satisfied by Smeenge et al. in that the mounting plate (50) is secured to portions or flanges of the bottom plate that are interpreted as a bottom surface of the plate. The Applicant respectfully disagrees with this interpretation. The mounting plate (50) shown in Smeenge et al. (see FIGS. 2 and 7) abuts the bottom surface of the central core (45) that is between the top and bottom plates, and also abuts top surfaces of the bottom plate in the flange areas noted by the Examiner. The mounting plate (50) does not touch the bottom surface of the bottom plate (i.e., the surface of the bottom plate facing the bottom of the apparatus) at any point. The requirement for a mounting plate to be secured to a bottom surface of a bottom plate is explicitly recited in claims 2 and 13. This recitation is not disclosed, taught or suggested by Smeenge et al. or by any of the other cited references, including Martin. Because the prior art of record, alone or in combination, does not disclose, teach or suggest all of the elements of independent claims 2 and 13, the rejection of claims 2 and 13 under 35 U.S.C. § 103(a) should be withdrawn.

Claims 6/2, and 28 depend from independent claim 2, and claim 12/13 depends from independent claim 13. Claims 6/2, 28 and 12/13 are allowable with the claims from which they depend. In addition, it is respectfully submitted that the combinations of features recited in claims 6, 28 and 12 are patentable on their own merits, although this does not need to be specifically addressed herein since any claim depending from a patentable independent claim is also patentable. See M.P.E.P. 2143.03, citing In re Fine, 5 U.S.P.Q.2d (BNA) 1596 (Fed. Cir. 1988).

Independent claim 30 recites an adjustable keyboard tray that includes top plate and bottom plates having a plurality of inner walls along their opposed facing surfaces that are ultrasonically welded together. The Examiner contended that it would have been obvious to have made a top plate to include a plurality of inner walls along the opposed facing surfaces, "since it has been held that mere duplication of the essential working parts of a device involved only routine skill in the art." The Applicant respectfully disagrees with this assertion. Providing a plurality of inner walls for the top and bottom plates that are ultrasonically welded together has a particular advantage, as stated in the specification at page 20, line 25 – page 21, line 28, of providing improved stability while retaining the light weight of the apparatus. The plurality of inner walls recited in claim 30 are not simply duplicated essential working parts, but are features that provide additional utility, and these features are not disclosed, taught or suggested by the prior art of record. Claims 31 and 32 depend from independent claim 30. The rejection of claims 30-32 should accordingly be withdrawn.

CONCLUSION

In view of the foregoing, all pending claims 2-10, 12-17 and 19-32 are in condition for allowance. A Notice to that effect is respectfully requested. The Examiner is cordially invited to contact the undersigned at the telephone number listed below if such a call would in any way facilitate the allowance of this application.

Respectfully submitted,

KINNEY & LANGE, P.A.

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By: *Al Koenck*

Alan M. Koenck, Reg. No. 43,724

THE KINNEY & LANGE BUILDING

312 South Third Street

Minneapolis, MN 55415-1002

Telephone: (612) 339-1863

Fax: (612) 339-6580

AMK